

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

EXTREME NETWORKS, INC.,

Plaintiff,

v.

ENTERASYS NETWORKS, INC.,

Defendant.

ORDER

07-cv-229-bbc

In an order dated October 28, 2008, I denied defendant Enterasys Networks, Inc.'s motion under Fed. R. Civ. P. 50 to set aside the jury's verdict awarding plaintiff Extreme Networks, Inc. approximately \$200,000 for infringing three patents owned by plaintiff. In addition, I granted in part plaintiff's motion for a permanent injunction and I directed defendant to stop "manufacturing, using, offering to sell, or selling in the United States, or importing into the United States" any of the accused products and to provide within 10 days "notice of the order and injunction to its officers, agents, servants, employees, attorneys and other persons who are in active concert or participation with them." (I also directed defendant to destroy its inventory of the accused products, but that portion of the order will not take effect until the appeal process is finished.) On November 5, judgment was entered

reflecting the jury's verdict and the injunction.

On November 7, defendant filed motions to alter or amend the judgment with respect to the injunction and to stay the injunction pending appeal. Plaintiff's responses to those motions are due November 17.

Now defendant has filed what it labels a motion for "clarification" of the permanent injunction, dkt. #444, which is really another motion to stay the injunction. In its motion, defendant asks that the injunction be stayed while its other motions are pending. That motion is GRANTED. The permanent injunction in this case is STAYED pending the resolution of any remaining posttrial motions filed by the parties in this court.

Entered this 13th day of November, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge